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for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,
Plaintiff,

v.

ESTATE OF RICHARD L. CASH; RICHARD L.
CASH DECLARATION OF TRUST DATED
SEPTEMBER 19, 1994, as a joint tenant WROS;
JAMES H. CASH, individually as a joint tenant
WROS, and in his capacity as Trustee of the Richard
L. Cash Declaration of Trust and, as Personal
Representative of the estate of Richard L. Cash;

Adv. Pro. No. 10-05044 (SMB)

DAVID CASH; JONATHAN CASH; ESTATE OF
GLADYS CASH; and CYNTHIA J. GARDSTEIN,
in her capacity as Personal Representative of the
Estate of Gladys Cash,

Defendants.

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL
OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff individually (“Madoff”), by and through their counsel, Baker & Hostetler LLP, and (i) Estate of Richard L. Cash; (ii) Richard L. Cash Declaration of Trust Dated September 19, 1994, as a joint tenant WROS; (iii) James H. Cash, individually as a joint tenant WROS, and in his capacity as Trustee of the Richard L. Cash Declaration of Trust and, as Personal Representative of the estate of Richard L. Cash; (iv) David Cash; (v) Jonathan Cash; (vi) Estate of Gladys Cash; and (vii) Cynthia J. Gardstein, in her capacity as Personal Representative of the Estate of Gladys Cash (“Defendants”), by and through their counsel, Christopher J. Major (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 2, 2010, the Trustee filed and served the Complaint against Defendants.
2. On October 17, 2012, Defendant Gladys Cash died.
3. On May 23, 2013, Plaintiff and Defendants mutually agreed and stipulated that the Estate of Gladys Cash and Cynthia J. Gardstein, in her capacity as the personal representative of the Estate of Gladys Cash, would be substituted into the action in place of Gladys Cash, deceased.
4. On January 17, 2014, Defendants filed and served the Answer to the Complaint

on the Trustee.

5. Pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181], the Parties entered into a Settlement Agreement and Release on May 6, 2016.

6. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee's claims against Defendants in the above-captioned adversary proceeding and dismissal of the adversary proceeding with prejudice.

7. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

8. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

9. The Bankruptcy Court shall retain jurisdiction over this Stipulation.

Date: August 25, 2016
New York, New York

BAKER & HOSTETLER LLP

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LLC and the Estate of Bernard L. Madoff*

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*Attorneys for Defendants Estate of Richard L.
Cash; Richard L. Cash Declaration of Trust
Dated September 19, 1994, as a joint tenant
WROS; James H. Cash, individually as a joint
tenant WROS, and in his capacity as Trustee of
the Richard L. Cash Declaration of Trust and,
as Personal Representative of the estate of
Richard L. Cash; David Cash; Jonathan Cash;
Estate of Gladys Cash; and Cynthia J.
Gardstein, in her capacity as Personal
Representative of the Estate of Gladys Cash*

SO ORDERED

Dated: August 25, 2016
New York, New York

/s/ STUART M. BERNSTEIN
Hon. Stuart M. Bernstein
United States Bankruptcy Judge